

ALABAMA BOARD OF NURSING

REGULAR BOARD MEETING

Fiscal Year 2010-2011

Suite 350, RSA Plaza

770 Washington Ave

Montgomery, Alabama

February 17, 2011

I. CALL TO ORDER

A. Roll Call

The meeting was called to order at 9:03 a.m. on February 17, 2011. The following Board members were present: Pamela Autrey, PhD., MSN, RN, President; Amy Price, MSN, RN; Vice-President; Sharon Pugh, LPN, Secretary; Melissa Bullard, LPN; Catherine Dearman, RN, PhD; Maggie Lee Hopkins, LPN; Gregory Howard, LPN; Lynda F. LaRue, RN, ADN, CMTE; Martha G. Lavender, RN, DSN; Gregory D. Pugliese, JD; Carol Stewart, CRNP; and E. Laura Wright, MNA, CRNA, PhD(c). Genell Lee, MSN, RN, JD, Executive Officer and Leslie Vinson, Executive Secretary/Recorder were present. Staff members attending portions of the meeting were: Charlene Cotton, MSN, RN, Advanced Practice; Mary Ed Davis, MSN, RN, Voluntary Disciplinary Alternative Program; Katie Drake-Speer, MSN, RN, Education; Carolyn Morgan, MSN, RN, Practice/Continuing Education; Jennifer Weaver, Chief Fiscal Officer; Frank Mitchell, Chief Special Investigator; David Pinnock, Special Investigator; Wyatt Gantt, Special Investigator; Nate Nunnelley, Special Investigator; Danny Bond, Special Investigator; Karen Grimes, Docket Clerk; Klisha Potts, Docket Clerk; Gloria Franklin, Docket Clerk; Vicky Moseley, Docket Clerk; Teresa Stephens, Docket Clerk; Melissa Curtis, ASA II; Teresa Williamson, ASA II; Carol Smith, ASA III; Barbara Johnson, Administrative Services Officer; Rebecca Goodson, Personnel Assistant; Pamela Jenkins, Legal Research Assistant; Dawn Daniel, MSN, RN, Probation Nurse Consultant; Cathy Boden, MSN, RN, Legal Nurse Consultant; LaDonna Patton, MSN, RN; Katie Wetherbee, Assistant General Counsel; and Alice Maples Henley, Deputy Attorney General/General Counsel.

B. Declaration of Quorum

A quorum was declared with twelve Board members present. Monica Cauley, MSN, RN, was not present.

C. Statement of Compliance with Open Meetings Act

Prior notice of this meeting was posted on the Secretary of State's web site in accordance with the Alabama Open Meetings Act.

D. Review of Agenda

1. Additions, Modifications, Reordering
2. Adoption of Agenda

On February 17, Dr. Lavender moved that the Board approve the Agenda, as amended. Ms. Pugh seconded. Motion carried without objection.

II. ADVANCED PRACTICE

A. Collaborative Practice Applications

Ms. Cotton reported that the Joint Committee met on February 15, 2011, to review the applications for collaboration with Alabama physicians as listed in the roster. The Committee discussed protocols for trigger point injections by CRNPs and ultrasound guidance for joint injections.

The Committee recommended approval of the applications listed in the roster. The Committee also recommended approval of the following applications that were not listed in the published roster: Judy Diann Garner, 1-49676, and Dr. Donald Wills Welsh; and Janet Leigh Holley, 1-069794, and Dr. Boyde J. Harrison from December 1, 2010 to February 10, 2011.

Ms. Cotton provided copies of the roster of applications for the Board's review and approval.

On February 17, Mr. Pugliese moved that the Board approve the applicants for collaborative practice as listed in the published roster and addendum. Ms. Pugh seconded. Motion carried without objection.

B. Final Certification, ABN Administrative Code, Chapter 610-X-5, Advanced Practice Nursing – Collaborative Practice

Ms. Cotton reported that the physicians on the Joint Committee reported that the Board of Medical Examiners (BME) had problems

with the wording to the rules. They attempted to amend but could not reach an agreement.

The Board discussed their options and did not take any action on the rules.

C. Final Certification, ABN Administrative Code, Rule 610-X-2-.05, Definitions, Advanced Practice Nursing – Collaborative Practice

Ms. Cotton reported that the physicians on the Joint Committee reported that BME had problems with the changes to the rules. They attempted to amend but could not reach an agreement.

The Board discussed their options and did not take any action on the rules.

III. EDUCATION

A. Letter of Intent and Feasibility Study to Establish a New Associate Degree in Nursing Education Program: ITT Bessemer

Ms. Drake-Speer reported that ITT Technical Institute submitted a letter of intent and a feasibility study to begin an Associate Degree in nursing program in Bessemer. ITT is a private postsecondary institution owned and operated by ITT Educational Services, Inc. The institution is accredited by Accrediting Council for Independent Colleges and Schools.

The program's timeline indicates June 13, 2011 as the date to begin admitting students. The length of the program is nine quarters for a total of 109 credit hours. An academic quarter is 12 weeks in length. Traditional and nontraditional clinical facilities are being explored. Plans are to admit students each quarter with an initial cohort of 30 students.

Ms. Drake-Speer provided copies of the Letter of Intent and Feasibility study for the Board's information and review.

Ms. Drake-Speer reported that ITT Technical Institute also submitted an articulation plan.

Faye McHaney, Interim Nursing Program Chair, and Peggy Keene, National Director, were present and answered questions from the Board.

The Board reviewed and discussed the information provided. The

Board directed them to submit additional information on faculty, admission criteria, clinical sites, a needs assessment, and how they intend to communicate articulation to the students when they submit the application for a new nursing education program.

B. Letter of Intent and Feasibility Study to Establish a New Associate Degree in Nursing Education Program: ITT Mobile

Ms. Drake-Speer reported that ITT Technical Institute submitted a letter of intent and a feasibility study to begin an Associate Degree in nursing program in Mobile. ITT is a private postsecondary institution owned and operated by ITT Educational Services, Inc. The institution is accredited by Accrediting Council for Independent Colleges and Schools.

The program's timeline indicates June 13, 2011 as the date to begin admitting students. The length of the program is nine quarters for a total of 109 credit hours. An academic quarter is 12 weeks in length. Traditional and nontraditional clinical facilities are being explored. Plans are to admit students each quarter with an initial cohort of 30 students.

Ms. Drake-Speer provided copies of the Letter of Intent and Feasibility study for the Board's information and review.

Ms. Drake-Speer reported that ITT Technical Institute also submitted an articulation plan.

Billie Ward, Nursing Program Chair, and Peggy Keene, National Director, were present and answered questions from the Board.

The Board reviewed and discussed the information provided. The Board directed them to submit additional information on faculty, admission criteria, clinical sites, a needs assessment, and how to communicate articulation to the students when they submit the application for a new nursing education program.

IV. LEGAL DIVISION

A. Substance Use Disorder Monitoring

Ms. Wetherbee reported that the Board originally approved the Staff Guidelines for Chemical Dependency Monitoring in November 2001 and later amended the guidelines in March 2004. The proposed guidelines are a consequence of a review of the current drug screening procedures and monitoring policies.

The proposed revisions to the guidelines include the following: (1) use of language and terms consistent with revised rules; (2) missing reports will be addressed on a monthly/quarterly basis instead of on a report by report basis; (3) a late report not received in the month it is due will not be accepted and implementation of flexible but consistent guidelines for progressive discipline for late reports; (4) letter of admonishment is replaced by warning letter; and (5) recognition that a licensee may use attendance at Celebrate Recovery to satisfy one of the three required weekly twelve step meetings.

Ms. Wetherbee provided copies of the current Staff Guidelines for Chemical Dependency Monitoring and the proposed Substance Use Disorder Monitoring Guidelines for the Board's information and review.

The Board reviewed and discussed the proposed guidelines.

On February 17, Mr. Pugliese moved that the Board approve the proposed Substance Use Disorder Monitoring Guidelines for immediate use in place of the current Staff Guidelines for Chemical Dependency Monitoring. Mr. Howard seconded. Motion carried without objection.

V. BOARD TRAVEL

A. Alabama League for Nursing Annual Meeting, Tuscaloosa, AL – March 25, 2011

No Board members requested to attend.

VI. EXECUTIVE OFFICER

A. Financial Parameters Policy

Ms. Lee reported that the Board established financial parameters for the Executive Officer in 2000. During a review of financial policies at the January 2011 meeting, the Board reviewed the policy and saw a need for changes. The policy is effective and gives one mechanism to provide direction to the Executive Officer and the Chief Fiscal Officer regarding the parameters for single expenditures that are not included in the budget.

Ms. Lee provided copies of the Policy for Executive Officer Financial Parameters for the Board's information and review.

The Board reviewed and discussed the proposed changes to the Financial Parameters Policy.

On February 17, Dr. Lavender moved that the Board approve amendments to the Policy for Executive Officer Financial Parameters. Mr. Howard seconded. Motion carried without objection.

B. Creation of Jobs in the Private Sector

Ms. Lee reported that Executive Order Number 2 was issued by Governor Bentley on January 18, 2011. The Order requires commissions and state agencies to institute goals to create jobs in the private sector. Each department and agency is required to submit a report to the Governor as to how the Order will be carried out. The report is due mid-May 2011. A review of the Order does not provide a method for how a regulatory agency is to approach creating jobs in the private sector.

Ms. Lee reported that the Board needs to discuss the Order and provide direction as to how to comply with the Order.

Ms. Lee provided copies of the Executive Order for the Board's information and review.

The Board discussed how they could create jobs in the private sector. The Board suggested removing the restrictions for advanced practice nursing.

Ms. Lee reported that she will draft the recommendations and bring back to the Board for approval.

C. Criteria for Research Awards from NCSBN

Dr. Autrey reported that she attended the Board of Directors Meeting and the Board was not awarded a NCSBN research grant. The grant applications are reviewed by the Ph.D. staff and two individuals outside the organization. Four grants were awarded this year. They will have a second call in July.

Dr. Autrey reported that they use NIH criteria when reviewing grant applications. NCSBN will give feedback and direction on the application.

Ms. Lee reported that Dr. Lazarus has a conference call scheduled on March 1, 2011 with NCSBN staff.

VII. BOARD DEVELOPMENT

Ms. Lee reported that during the course of planning for the year, Board members expressed interest in learning more about legal processes and points of decision by the staff. Guidelines approved by the Board are incorporated into the discussion where appropriate.

A. Legal Terms

Ms. Wetherbee reviewed general criminal legal terms for the Board, provided copies for the Board and conducted a power point presentation.

B. Initial Complaints

Ms. Lee reviewed the initial complaint process and provided copies of the flow chart for the Board.

C. Investigations

Mr. Mitchell reviewed the investigative process and provided copies of an investigative diversion chart for the Board.

D. Nurse Consultants

Ms. Boden and Ms. Patton reviewed the nurse consultant review process, provided copies for the Board and conducted a power point presentation.

E. Prosecution of Cases

Ms. Henley reviewed the prosecution process, provided copies for the Board and conducted a power point presentation.

VIII. OTHER

- Dr. Autrey welcomed the students from Alabama Southern Community College and Southern Union Community College.
- Ms. Lee reported that the next Board meeting is March 17-18, 2011, RSA Plaza, Suite 350.

IX. BOARD MEETING DEBRIEFING

- The Board reported that the Board Development was helpful.

X. ADJOURNMENT

The meeting adjourned at 3:34 p.m. on February 17, 2011.

Pamela Autrey, President

Sharon Pugh, Secretary

Submitted by: _____
Leslie Vinson, Recorder
2/17/2011